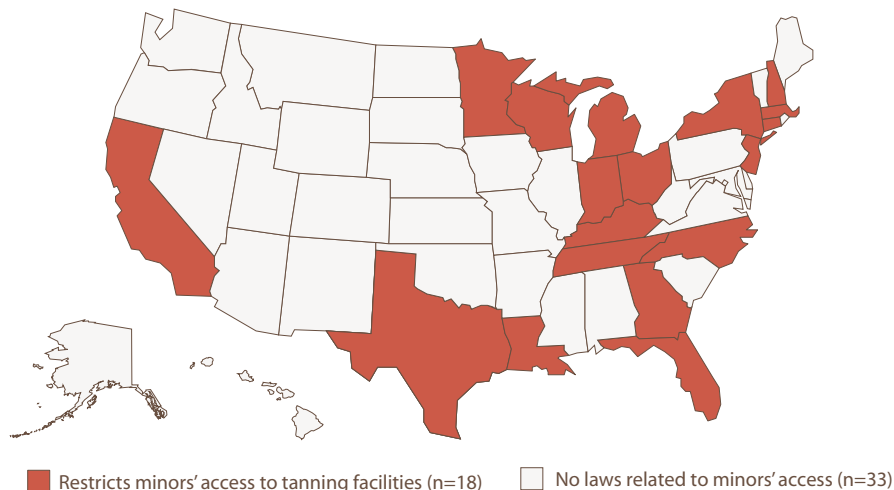




## Skin Cancer

### States with Laws Addressing Minors' Access to Tanning Facilities

(as of March 31, 2007)



Long-term exposure to ultraviolet rays, either from tanning beds or from the sun, increases the risk of developing skin cancer. A recent study indicated that there is an increased risk for melanoma in people who first used tanning beds in their teens and twenties.<sup>1</sup> Melanoma, the deadliest and most serious form of skin cancer, is expected to cause 8,110 of the almost 10,110 predicted deaths attributed to skin cancer in 2007.<sup>2,3</sup> Despite these risks, 8.7 percent of teens ages 14 to 17 use indoor tanning devices, and girls in this age group are seven times more likely than their male counterparts to use such devices.<sup>4</sup> The World Health Organization recommends that access to tanning beds be restricted for those under age 18.<sup>5</sup> Some state lawmakers have responded to this recommendation. Currently, 18 states have enacted laws related to minors' access to tanning facilities. Of these states, four have enacted bans. **California, New Jersey, and New York** prohibit minors under age 14 from using tanning facilities, while **Wisconsin** prohibits use by minors under age 16.

Three states restrict minors' access to tanning facilities to those with physician authorization. **North Carolina** law prohibits persons under age 13 from using tanning equipment without a written prescription from the person's physician that specifies the nature of the condition requiring treatment. Laws in **New Hampshire** and **Texas** prohibit the use of tanning facilities by minors under ages 14 and 13, respectively, unless a written medical order is provided *and* a parent or guardian accompanies the minor.

Nine states have laws that restrict the use of tanning facilities by minors at specified ages unless the minor

is accompanied by a parent or guardian. Seventeen states have provisions authorizing the use of tanning facilities by minors in specified age ranges with a written statement of parental or guardian consent. Of these states, seven—**Georgia, Indiana, Louisiana, Minnesota, New Hampshire, New York, and Utah**—require that the consent statement be signed at the tanning facility and/or in the presence of the tanning facility operator. **New Hampshire** and **Utah** law also requires the parent or guardian to be present during the minor's first use. **Tennessee** requires either an in-person signature by the parent or guardian or, in lieu of parental accompaniment, a notarized consent statement.

Fourteen states require the posting of a warning sign in the facility. Twelve states require that a warning statement be given to any individual (or, in the case of a minor, to the parent or guardian) before use of a tanning device; of these states, 10 require explicit mention that exposure to ultraviolet light or radiation can result in skin cancer. **New Hampshire** law requires that the warning statement be read aloud to the customer.

1 World Health Organization, International Agency for Research on Cancer. Sunbed use in youth unequivocally associated with skin cancer. [http://www.iarc.fr/ENG/Press\\_Releases/pr171a.html](http://www.iarc.fr/ENG/Press_Releases/pr171a.html)

2 National Cancer Institute. Skin Cancer. <http://www.cancer.gov/cancertopics/types/skin>

3 National Cancer Institute. Melanoma. <http://www.cancer.gov/cancertopics/types/melanoma>

4 Centers for Disease Control and Prevention. Quickstats: percentage of teens aged 14-17 years who used indoor tanning devices during the preceding 12 months, by sex and age—United States, 2005. *MMWR* 2006;55(40):1101

5 World Health Organization, Artificial Tanning Sunbeds Risks and Guidance. [www.who.int/entity/uv/publications/en/sunbeds.pdf](http://www.who.int/entity/uv/publications/en/sunbeds.pdf)

*The SCLD contains information synthesized from state-level laws. The SCLD does not contain state-level regulations; measures implemented by counties, cities, or other localities; case law; Attorneys General opinions; or data addressing the implementation of state laws—all of which may vary significantly from the laws reported herein.*

**Source: National Cancer Institute: State Cancer Legislative Database Program, Bethesda, MD, 2007**

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## State Laws Addressing Minors' Access to Tanning Facilities (as of March 31, 2007)

State	Age at which tanning is prohibited	Age at which tanning is allowed/Conditions			Posting of warning sign required	Written warning statement required	Penalty to tanning facility for violation	License penalty	Provides for promulgation of regulations for enforcement/ implementation
		Parental accompaniment	Physician authorization	Parental consent					
Alabama									
Alaska									
Arizona									
Arkansas									
California	Under 14	–	–	14 to 18	Y	Y	Infraction for first violation; misdemeanor for subsequent violations; civil penalty of up to \$2,500 per day	N	
Colorado									
Connecticut	–	–	–	Under 16	N	N	Fine of up to \$100	N	
Delaware									
District of Columbia									
Florida	–	Under 14	–	14 to 18	Y	Y	Second degree misdemeanor; administrative fine of up to \$1,000 per violation per day	Y	Y
Georgia	–	–	–	Under 18*	Y	N	Misdemeanor; penalty fee of at least \$1,000, punitive damages, and court costs	N	
Hawaii									
Idaho									
Illinois									
Indiana	–	Under 16	–	Under 18*	Y	Y	Class C misdemeanor; fine of up to \$1,000 per day	Y	Y
Iowa									
Kansas									
Kentucky	–	Under 14	–	14 to 17	N	Y	Not specified	N	Y
Louisiana	–	Under 14	–	14 to 18*	Y	Y	Injunctive relief	Y	Y
Maine									
Maryland									
Massachusetts	–	Under 14	–	14 to 17	Y	Y	Fine of \$200 to \$2,000	Y	Y
Michigan	–	Under 14	–	Under 18	N	N	Not specified	N	
Minnesota	–	–	–	Under 16*	Y	Y	Petty misdemeanor	N	
Mississippi									
Missouri									
Montana									
Nebraska									
Nevada									
New Hampshire <sup>†</sup>	–	Under 14	Under 14	Under 18*	N	Y	Fine of up to \$250 per day	Y	Y
New Jersey	Under 14	–	–	14 to 17	Y	N	Fine of \$100 for first offense; fine of \$200 for subsequent offenses	N	Y
New Mexico									
New York	Under 14	–	–	14 to 18*	Y	Y	Civil penalty of up to \$250 (in lieu of license penalty)	Y	Y
North Carolina	–	–	Under 13	–	N	Y	Not specified	N	Y
North Dakota									
Ohio	–	–	–	Under 18	Y	N	Fine of up to \$100 for first violation; up to \$500 for second violation; and up to \$1,000 for subsequent violations	Y	Y
Oklahoma									
Oregon									
Pennsylvania									
Rhode Island									
South Carolina									
South Dakota									
Tennessee	–	Under 14	–	14 to 18*	Y	Y	Class B misdemeanor; fine of up to \$500 per day	N	
Texas <sup>†</sup>	–	13 to 15	Under 13	16 or 17	Y	Y	Class A misdemeanor; civil penalty of up to \$25,000 per violation per day; injunctive relief	Y	Y
Utah				Under 18*	Y		Class C misdemeanor; possible revocation of permit		
Vermont									
Virginia					Y	Y <sup>‡</sup>	Class C misdemeanor		
Washington									
West Virginia									
Wisconsin	Under 16	–	–	–	Y	N	Fine of \$50 to \$250	Y	Y
Wyoming									

### Key:

\* Parental consent form must be signed at the tanning facility and/or in the presence of the tanning facility operator. NH and UT law also requires parent or legal guardian to be physically present at the time of initial use. TN law allows a notarized statement signed by the parent or legal guardian in lieu of parental accompaniment.

<sup>†</sup> NH and TX require both parental accompaniment and physician authorization for minors under the ages of 14 and 13, respectively.

<sup>‡</sup> VA requires signature of parent or legal guardian on warning statement for minors under age 15.

Source: National Cancer Institute: State Cancer Legislative Database Program, Bethesda, MD, 2007.